

Magistrate Judge Theiler

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT ALLEN STANARD,

Defendant.

MAGISTRATE'S DOCKET NO.
Case No. MJ16-0479

COMPLAINT FOR VIOLATION OF
Title 18, United States Code, Section
922(g)(1)

Before, Mary Alice Theiler, United States Magistrate Judge, United States
Courthouse, 700 Stewart Street, Seattle, Washington.

COUNT 1
(Felon in Possession of a Firearm)

On or about October 29, 2016, at Stanwood, within the Western District of
Washington, ROBERT ALLEN STANARD, having been convicted of crimes punishable
by imprisonment for a term exceeding one year, to wit: (a) *Conspiracy and Using and*
Carrying a Destructive Device During a Crime of Violence, under cause number
CR02-5440FDB, in the United States District Court, for Western District of Washington;
and (b) *Felon in Possession of a Firearm and Possession of a Firearm with an*

1 *Obliterated Serial Number* under cause number CR04-5138FDB, in the United States
2 District Court, for Western District of Washington, did knowingly possess, in and
3 affecting interstate and foreign commerce, a firearm, to wit: a Diamond Back Arms,
4 Model DB-15, 556 Caliber Rifle, bearing serial number DB1527844, which had been
5 shipped and transported in interstate and foreign commerce.

6 All in violation of Title 18, United States Code § 922(g)(1).
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8 The undersigned complainant being duly sworn states:

9 1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and
10 Explosives (ATF). I am assigned to the Seattle, Washington, Group III Field Office. I
11 have been an ATF Special Agent since December 13, 2009, responsible for investigating
12 and enforcing violations of federal law. I graduated from the Criminal Investigator
13 Training Program and the ATF Special Agent Basic Training Program, which are both
14 located at the Federal Law Enforcement Training Center in Glynco, Georgia. I received
15 my Bachelor of Science degree in Psychology and a second in Criminal Justice from
16 Towson University in Towson, Maryland. I also obtained a Master's of Science degree
17 in Criminal Justice Administration from Columbia Southern University in Orange Beach,
18 Alabama.

19 2. The facts set forth in this complaint are based on my own personal
20 knowledge; knowledge obtained from other individuals during my participation in this
21 investigation, including from other law enforcement officers; review of documents and
22 records related to this investigation; communications with others who have personal
23 knowledge of the events and circumstances described herein; and information gained
24 through my training and experience. Because this affidavit is submitted for the purpose
25 of establishing probable cause in support of the application for an arrest warrant, it does
26 not set forth each and every fact that I or others have learned during the course of this
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1 investigation. Rather, it sets forth only those facts relevant to the determination of
2 probable cause.

3 3. On or about October 29, 2016, Snohomish County Sheriff's Office deputies
4 were dispatched to an address in Stanwood, Washington in response to a report of
5 domestic violence. The person reporting the incident, G.S., was not at that address, but
6 reported that his daughter, A.S., lived at the residence with her husband ROBERT
7 STANARD, and was there with him. G.S. stated that ROBERT STANARD had said that
8 he would have a "shoot out" with police if they showed up at the residence. G.S. also
9 said that ROBERT STANARD had a rifle and a pistol, but had not displayed them during
10 the incident.

11 4. When deputies arrived at the residence, they observed ROBERT
12 STANARD leave the residence and enter a detached garage on the property. Deputies
13 subsequently detained ROBERT STANARD. ROBERT STANARD resisted the
14 deputies' efforts to detain him, and it took three deputies to restrain him.

15 5. Deputies then interviewed A.S., who told them that ROBERT STANARD
16 had grabbed her, in the garage, by the hood of her sweatshirt. A.S. said that she had
17 returned to the residence, and that ROBERT STANARD had followed her into the
18 residence. A.S. said that ROBERT STANARD had backed her into a corner in the
19 kitchen, and had smacked her across the jaw. A.S. said that ROBERT STANARD had
20 then grabbed her phone and smashed it. A.S. said that ROBERT STANARD had said
21 that, if the police came, he was going to have a "shootout." A.S. said that a roommate,
22 S.B., had observed the incident and had called A.S.'s father, and that A.S.'s father had
23 then reported the incident to police.

24 6. Deputies noticed that A.S. had a red mark on her jaw, consistent with the
25 location in which she said that ROBERT STANARD had struck her. Deputies also
26 recovered A.S.'s cell phone, which had been smashed. Based upon A.S.'s account, and
27 this evidence, deputies decided to arrest ROBERT STANARD. As deputies arrested
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1 him, ROBERT STANARD remained uncooperative, told the deputies that they would
2 have to kill him, and began slamming his head repeatedly into one of the deputies' cars.
3 ROBERT STANARD also shouted repeatedly that A.S. should kill herself. Deputies
4 ultimately were forced to secure ROBERT STANARD to a medical gurney in order to
5 transport him from the scene. Even after being secured on the gurney, ROBERT
6 STANARD continued attempting to kick the straps off his legs and to pull his arms free.

7 7. Following ROBERT STANARD's arrest, deputies continued to interview
8 A.S. A.S. told deputies that there were multiple firearms at the property. Deputies told
9 A.S. that they intended to remove the firearms for safety reasons, in light of the domestic-
10 violence incident. A.S. showed the deputies a .380 caliber pistol in a lock box in her
11 bedroom. A.S. told the deputies that she had purchased this gun and that it was hers.
12 A.S. took deputies to the garage, where she opened a gun safe. Inside the safe was a rifle.
13 A.S. also told deputies that ROBERT STANARD had a 9mm pistol, but that she did not
14 know its location.

15 8. Based upon this information, deputies obtained a search warrant to search
16 the residence and garage of ROBERT STANARD's residence. Deputies and other law
17 enforcement officers then executed the search warrant. During the execution of the
18 warrants, deputies again interviewed A.S., who stated that she had purchased all of the
19 firearms at the residence. In particular, A.S. said that she had purchased the AR-15 that
20 was in the garage at Skagit Arms at ROBERT STANARD's direction. A.S. stated that
21 she had purchased the 9mm pistol from an individual selling the pistol, again at ROBERT
22 STANARD's direction. In both cases, ROBERT STANARD was present, and in both
23 cases, after purchasing the firearm, A.S. gave the firearm to ROBERT STANARD. A.S.
24 also stated that ROBERT STANARD recently had been using cocaine.

25 9. Deputies and other agents executing the search recovered the rifle that a
26 deputy previously had observed, a Diamond Back Arms, Model DB-15, 556 caliber rifle,
27 with serial number DB1527844, from the safe in the garage. They also recovered a
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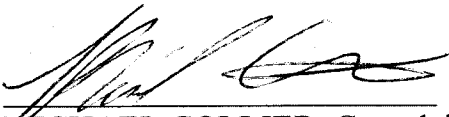
1 suppressor or silencer, a box containing 500 rounds of 556 caliber ammunition, and three
2 ballistic vests from the garage. Deputies and other agents searched, but were not able to
3 find the 9mm pistol described by A.S. anywhere on the property.

4 10. Deputies subsequently interviewed G.S. and J.S., who are A.S.' parents.
5 Each of G.S. and J.S. said that had seen ROBERT STANARD in possession of a 9mm
6 pistol during 2015 when he was present at their house.

7 11. According to documents filed in the United States District Court for the
8 Western District of Washington, ROBERT STANARD has been convicted, as an adult,
9 of the following crimes punishable by imprisonment for more than a year: (a)
10 *Conspiracy and Using and Carrying a Destructive Device During a Crime of Violence*,
11 under cause number CR02-5440FDB, in United States District Court, for Western
12 District of Washington; and (b) *Felon in Possession of a Firearm and Possession of a*
13 *Firearm with an Obliterated Serial Number* under cause number CR04-5138FDB, in the
14 United States District Court, for Western District of Washington;

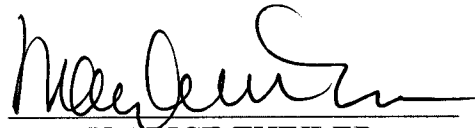
15 12. I have consulted with David Cline, an ATF Special Agent who has received
16 special training in the identification of firearms and their location of manufacture
17 concerning the Diamond Back Arms, Model DB-15, 556 caliber rifle, with serial number
18 DB1527844 found in ROBERT STANARD's garage. Special Agent Cline has informed
19 me that the rifle was manufactured outside the State of Washington, in the State of
20 Florida, and that the rifle therefore must have traveled to the State of Washington in, and
21 thereby affected, foreign and interstate commerce.

22 13. Based on the foregoing, I submit that probable cause exists to believe that
23 ROBERT STANARD has committed the crime of being a felon in possession of a
24 firearm, in violation of Title 18, United States Code, Section 922(g)(1).

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MICHAEL COLLIER, Complainant
Special Agent, ATF

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3 Based on the Complaint and Affidavit sworn to before me, and subscribed in my
4 presence, I hereby find that there is probable cause to believe the defendant committed
5 the offense set forth in the Complaint.

6 Complaint and affidavit sworn to me before this 10 day of November,
7 2016.

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11 MARY ALICE THEILER
12 United States Magistrate Judge
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